

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

BILLINGS CLINIC,

Plaintiff,

vs.

AMERICAN GUARANTEE AND
LIABILITY INSURANCE
COMPANY,

Defendant.

CV 21-32-BLG-SPW

ORDER ADOPTING
MAGISTRATE'S FINDINGS
AND RECOMMENDATIONS

The United States Magistrate Judge filed Findings and Recommendations on February 22, 2022. (Doc. 29). The Magistrate recommended that Defendant American Guarantee and Liability Insurance Company's ("AGLIC") Motion to Dismiss be granted. (Doc. 29 at 1).


Pursuant to 28 U.S.C. § 636(b)(1), parties are required to file written objections within 14 days of the filing of the Magistrate's Findings and Recommendation. No objections were filed. When neither party objects, this Court reviews the Magistrate's Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a "definite and firm

conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000). After reviewing the Findings and Recommendation, this Court does not find that the Magistrate committed clear error.

IT IS ORDERED that the proposed Findings and Recommendations entered by the United States Magistrate Judge (Doc. 29) are ADOPTED IN FULL.

IT IS FURTHER ORDERED that Defendant AGLIC’s Motion to Dismiss is GRANTED without prejudice as to the Interruption by Communicable Disease Coverage, and with prejudice as to all other claims for coverage.

DATED this 14th day of March, 2022.


SUSAN P. WATTERS
United States District Judge